

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

PINNACLE HOLDING COMPANY, LLC and
PINNACLE EMPLOYEE SERVICES, LLC,

Plaintiffs,

v.

MICHAEL ALLEN and PINNACLE
EMPLOYEE SERVICES, INC.,

Defendants.

Civil Action No. 5:24-cv-239
(GTS/TWD)

**NOTICE OF DEFENDANTS'
MOTION TO DISMISS FOR LACK
OF PERSONAL JURISDICTION,
IMPROPER VENUE, AND
FAILURE TO STATE A CLAIM**

PLEASE TAKE NOTICE that Defendants Michael Allen and Pinnacle Employee Services, Inc. (collectively, "Defendants") will and do hereby move this Court before the Honorable Glenn T. Suddaby, United States District Judge, at the United States District Court for the Northern District of New York, at Federal Building and U.S. Courthouse, P.O. Box 7367, Syracuse, NY 13261-7367, on a date and time to be designated by the Court, for an Order dismissing Plaintiffs' First Amended Complaint with prejudice pursuant to Rules 12(b)(2), 12(b)(3), and 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE THAT in support of Defendants' Motion to Dismiss, Defendants rely upon: (1) their Memorandum of Law in Support of Defendants' Motion to Dismiss; and (2) the Declaration of Michael Allen with support Exhibit.

Dated: July 11, 2024
Brooklyn, NY

Respectfully submitted,

By: s/ David D. Lin
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Counsel for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 11, 2024, a copy of the foregoing was served upon all counsel of record, via electronic mail:

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